

STAFF REPORT

To:

Snyderville Basin Planning Commission (SBPC)

Report Date: Meeting Date:

Wednesday, September 22, 2010 Tuesday, September 28, 2010

Author:

Adryan Slaght, County Planner

Title:

Newpark-100-Unit Multi-Family Housing Proposal – Final Site Plan, Plat

Type of Item:

Public Hearing

Future Routing:

Summit County Council (public hearing)

EXECUTIVE SUMMARY: The Newpark Corporation is requesting direction on a proposed Final Site Plan and Plat Amendment for a 100-unit Multi-Family Housing Development on the site of the previously approved Newpark Flats and Cottonwood III projects. The proposal consists of one 4-story and three 3-story buildings, with a total of 95,513 square feet between the buildings. The buildings are anticipated to have a maximum height of 38 ft for the 3-story buildings, and a maximum height of 48 ft for the 4-story building. This proposal would use all of the remaining density allocated to the Newpark development, with the exception of the Newpark Southside project. Staff is recommending that the SBPC conduct a public hearing, and vote to forward a positive recommendation to the Summit County Council on the Plat Amendment and Final Site Plan.

A. **Project Description**

Project Name: Newpark Multi-Family Housing Project

Applicant(s):

Newpark Corporation - Marc Wangsgard/Chris Retzer

Owner(s):

Newpark Corporation

Location:

1389 Center Dr., Newpark - South of the Basin Recreation District

Fieldhouse, north of the Newpark Hotel

Zone District:

Town Center (Redstone Parkside SPA)

Adjacent Land Uses:

Office Building, Basin Rec Fieldhouse, Residential, Hotel

Existing Uses:

Vacant Lot

Parcel Number(s) & Size: NPRK-P, 0.47 acres; NPRK-V-2-2AM, 2.13 acres;

NPRK-RP, 0.67 acres

Community Review B.

This is a public hearing and has been noticed as such. In order to be approved, a public hearing before the SBPC and recommendation to the County Manager will be required.

The following service provider comments were provided to the applicant prior to the April 27 work session:

Summit County Engineer: A traffic/parking study will be required (a study has since been submitted to the engineering department for review).

<u>Park City Fire District</u>: Access will need to be reviewed further, especially along the western perimeter of the development site. Will also need to review hydrant locations.

<u>Snyderville Basin Wastewater Reclamation District</u>: The applicant will need to meet with SBWRD to discuss capacity issues.

C. Background

The Redstone Parkside / Newpark Specially Planned Area (SPA) and The Redstone Parkside / Newpark Development Agreement ("DA") was approved in October, 2001 and amended in December, 2002. The SPA resulted in the approval of 819,360 sq. ft. of density on the ~37 acre site. The original approval anticipated a mix of 36% corporate office/resort residential, 25% residential (resort, townhouses, flats), 24% commercial, and 15% of the density allocated to the Swaner Nature Preserve and the US Ski and Snowboard Association national training center. Based on the current proposal, there will be of 32% corporate office/resort residential, 32% residential (resort, townhouses, flats), 21% commercial, and 15% of the density allocated to the Swaner Nature Preserve (*Exhibit D*).

In 2004 Summit County approved the construction of two 62,000 sq. ft. office buildings. The first of those buildings was built in 2005. During the same year, the applicants were approached by Rossignol to build a separate 30,984 sq. ft. corporate headquarters. The Board of County Commissioners (BCC) approved this building in 2006, and this building was constructed, rather than the second 62,091 sq ft office building. In 2006, the BCC also approved the Newpark Flats Resort Residential Building (4-story 47,187 sq ft building (5,162 sq. ft. retail/office, 31,865 sq. ft. residential – 30 condo units, 10,160 sq. ft. parking garage)).

Because the second 62,091 sq. ft. building was never constructed, and in order to meet market conditions for both residential and office space on the site, Newpark Corporation, with Cottonwood Partners, sought and received approval to use the density allocated for Newpark Flats, along with future density trades, to construct the second 62,091 sq. ft. corporate office building (~141 surface parking stalls). This proposal required a Plat Amendment and Final Site Plan approval, which was granted in November of 2008. As the economy slowed, the project was deemed less viable, and was placed on hold.

Newpark Corporation is now proposing a 100-unit multi-family complex on the same site. The anticipated unit mix is 24 1-bed units (~750 sq ft), 63 2-bed units (~1,050 sq ft), and 13 3-bed units (~1,250 sq ft). Newpark intends that these units will all be affordable (projected rent ~65% of Area Median Income (AMI)) at this time, but will not be restricted to affordable only. The development would include a rental office, fitness center, tot lot, hot tub, and connections to the trail system along the Swaner Preserve. The developers are proposing one covered stall per unit, with 45 garages, and 55 car ports. The garages have all been located interior to the project. As proposed, there would be 223 total parking stalls available on and adjacent to the site.

According to the DA, Final Site Plans and Final Subdivision/ Condominium Plats are required prior to the development of each parcel and shall first be reviewed by the Design Review Committee (DRC). The DRC consists of County planning staff, Planning Commission members chosen to represent the Planning Commission, and representatives of the Developer. The DRC was established to allow a more detailed, intense, and interactive review of the projects. DRC meeting attendees included Mike Washington,

Julie Hooker, Adryan Slaght, Amir Caus, Marc Wangsgard, Jim Doilney, and Chris Retzer. The DRC met on March 16, March 29, and April 14, 2010 to consider the proposal to use the previously approved Newpark Flats/Cottonwood Site (NPRK-P) for a 100-unit multi-family residential project. The DRC reviewed and approved the proposed land use, building architecture, and site design.

On April 27, the applicants appeared before the SBPC for a work session. Discussion focused on traffic impacts, affordability requirements, the viability of a transit center in the vicinity, and the concentration of affordable units within the area (see Exhibit G).

D. Identification and Analysis of Issues

The following potential issues were outlined for the April 27 meeting. As noted above, issues discussed during the work session included traffic impacts, affordability requirements, the viability of a transit center in the vicinity, and the concentration of affordable units within the area.

Height/Architecture/Massing

The DRC expressed no concerns about the proposed architecture or height of the proposed buildings. According to the DA, "Buildings shall not exceed 45' in height unless specified elsewhere in the SPA Book of Exhibits without DRC review and approval." The proposed four-story building will be ~48 ft tall, which the DRC approved.

Parking

The proposal includes 223 parking stalls, including 45 garage spaces, 55 car ports, and 123 surface parking stalls on and adjacent to the site. The previous approval included 141 surface parking stalls, as well as 41 additional stalls available on Parcel S (Basin Rec) for daytime parking, per a parking agreement. The original Newpark Flats parking proposal consisted of 30 spaces within the building, as well as shared parking with Rossignol for a total of 170 spaces.

Density

The DRC has reviewed the density allocations and determined that the proposal falls within the density limits in the DA for the proposed uses. As required by the Master Plat for the development, the density and uses will be listed on the recorded Final Plats. *Exhibit D* shows the current, proposed, and remaining density allocations for the Newpark development.

Community Benefits

Community Benefits are on schedule with the pace of development.

Pedestrian Circulation

The applicants have provided a pedestrian circulation plan at the request of staff (Exhibit E).

E. General Plan

The project lies within the Kimball Junction Neighborhood Planning Area. As proposed, the project seems to support a number of the goals within the planning area including:

- Ensuring that "the town center shall be the focal point for living, working, shopping, entertainment, and social interaction."

Ensuring "that there is a mix of residential types in various ranges of affordability, with related support amenities."

F. Findings/ Code Criteria and Discussion

The approval process for final plats within the Newpark Development is governed by Article 6.5.4 of the DA, while the approval process for Final Site Plans is governed by Article 6.6 of the DA. These articles require a public hearing and recommendation by the Planning Commission and final approval by the Board of County Commissioners (Summit County Council). Had the developers come under the current Code, they would be required to go before the Planning Commission and County Manager.

Because plats and Final Site Plans within the Newpark Development are governed by the DA, they are not subject to the standard review process for major developments found in the Snyderville Basin Development Code. Furthermore, the Design Review Committee has found that the proposal meets the intent of the DA.

G. Recommendation(s)/Alternatives

Staff recommends that the SBPC evaluate the proposed Final Site Plan and Plat in accordance with the Newpark SPA, Redstone Parkside/Newpark Development Agreement, Snyderville Basin Development Code, and the Snyderville Basin General Plan. Staff further recommends that the SBPC hold a public hearing to gather public comment, consider Staff's analysis and vote to forward a positive recommendation to the Summit County Council with the finding and conditions below:

Findings:

1. The Final Site Plan and Plat comply with the provisions of the Redstone Parkside/Newpark Development Agreement.

Conditions:

- 1. The approved density per the Redstone/Newpark Development Agreement shall not be exceeded.
- 2. All Service Provider requirements must be met prior to Final Site Plan and plat recordation.

Attachment(s)

Exhibit A – Zoning Map

Exhibit B – Aerial Photograph(s)

Exhibit C – Proposed site plan & elevations

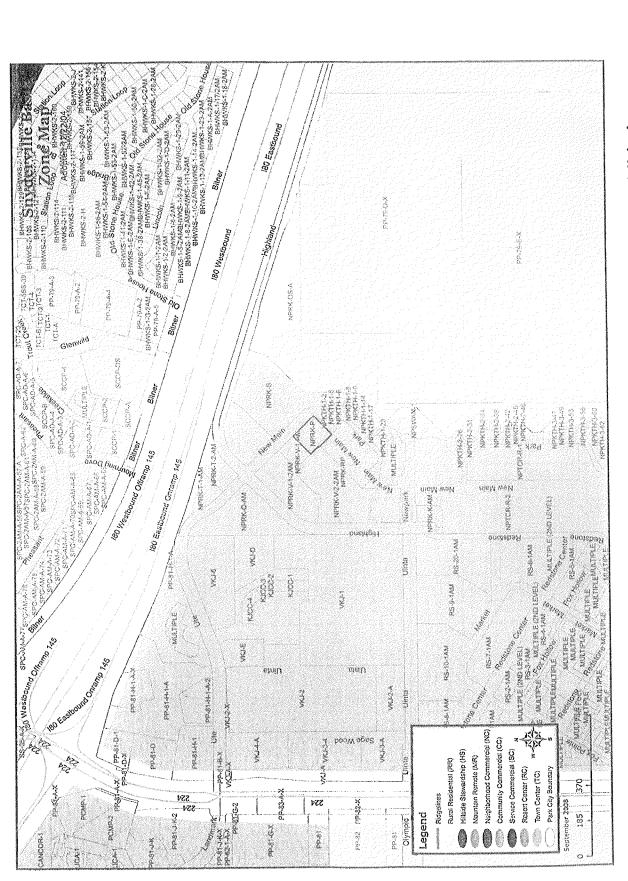
Exhibit D - Newpark Land Use & Density Chart

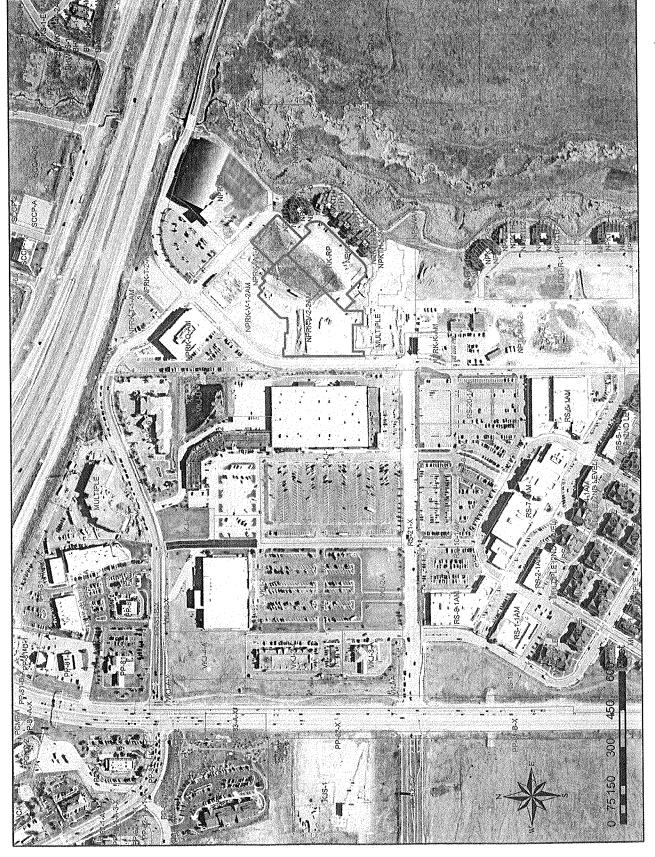
Exhibit E – Newpark public plazas & spaces, & pedestrian connectivity

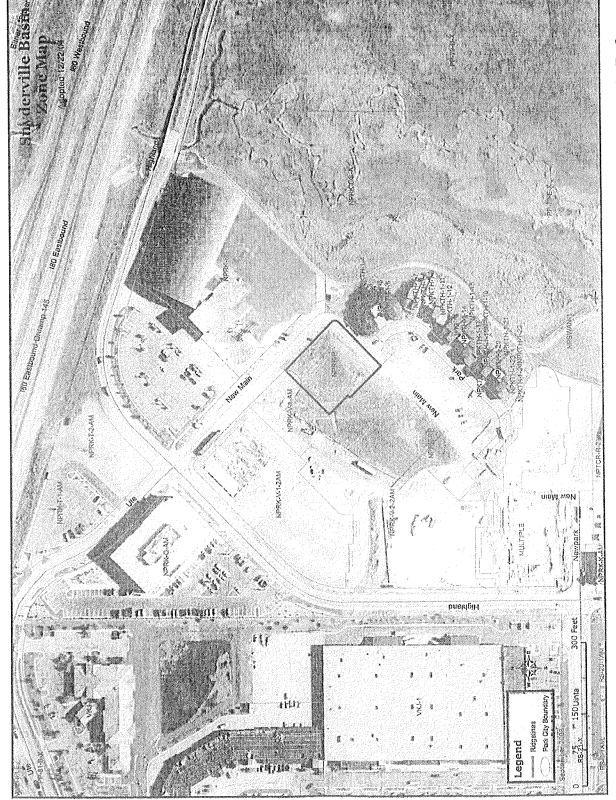
Exhibit F - Sections 6.5.4 and 6.6 of the Redstone Parkside/Newpark DA

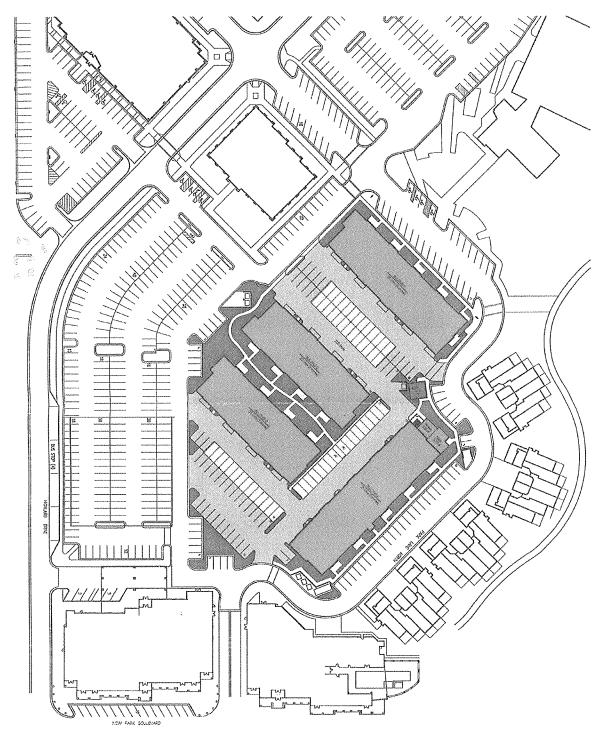
Exhibit G – Site Photos

Exhibit H - Minutes of the April 27, 2010 meeting of the Snyderville Basin Planning Commission







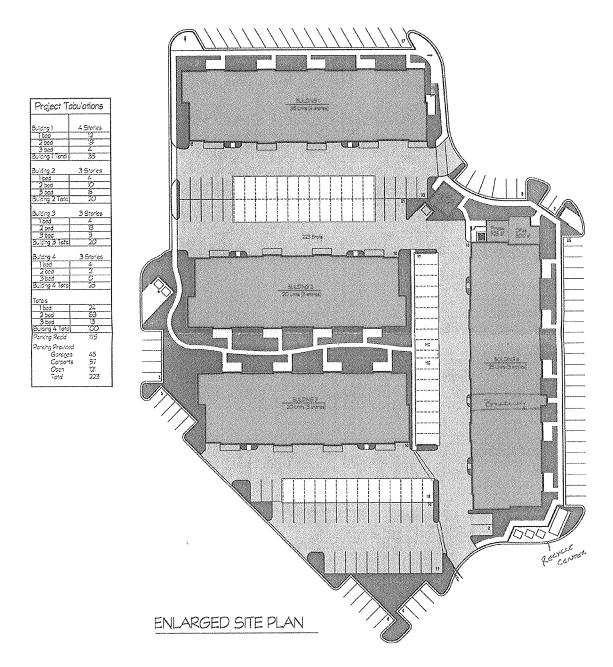


OVERALL SITE PLAN

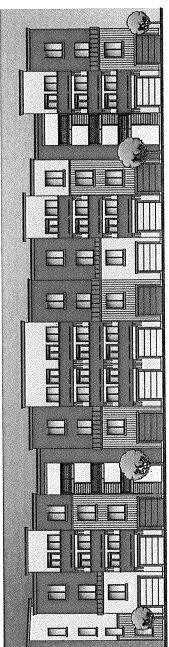
Vehow = Car ports

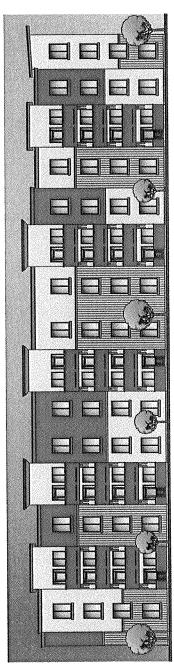
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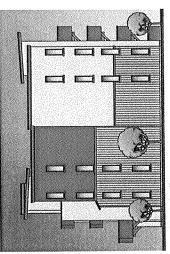
Exhibit C.1

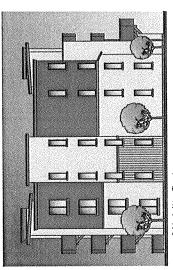


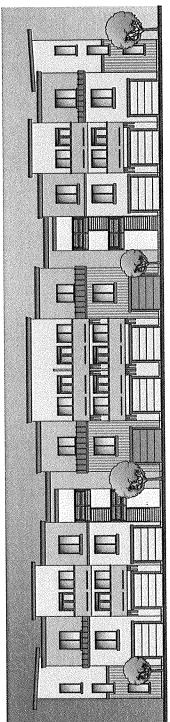
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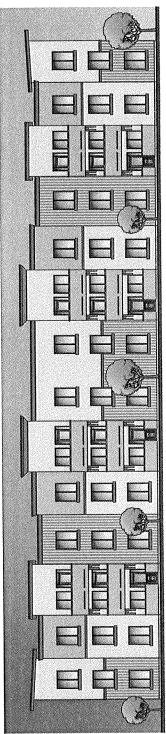




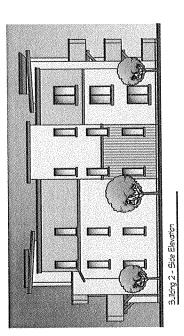




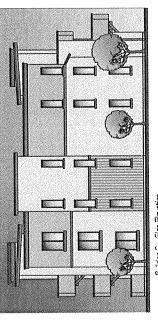
Sulding 2 - Rear Elevation

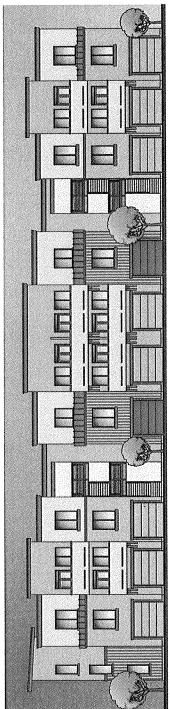


Building 2 - Front Elevation

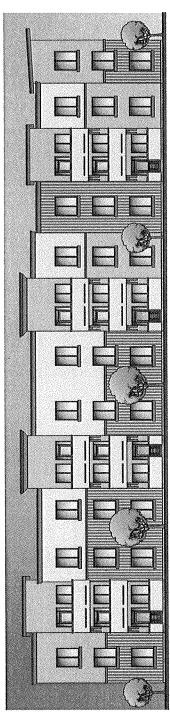


Building 2 - Side Elevation

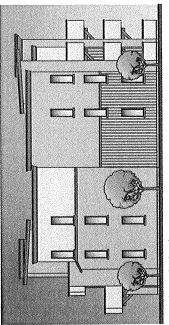




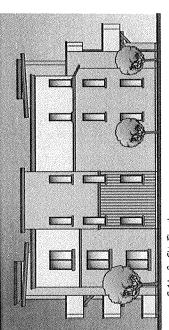
Building 3 - Rear Elevation



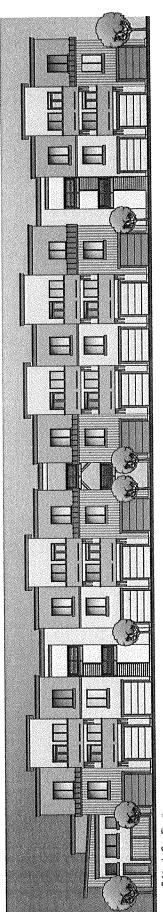
ulding 3 - Front Elevation



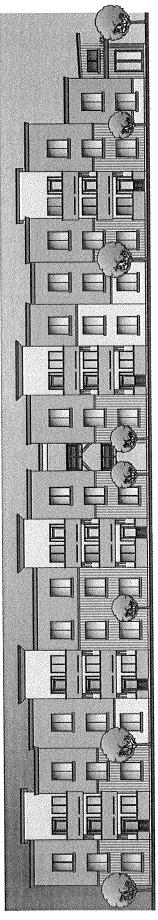
Bulding 3 - Side Elevation



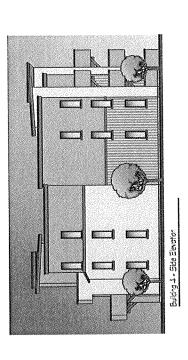
Building 3 - Side Elevation

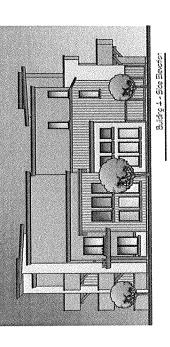


Building 4 - Rear Elevation



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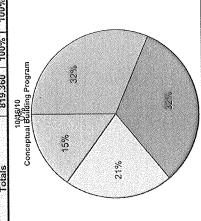




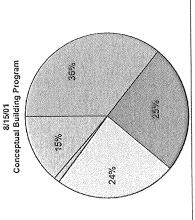
Amended Newpark Hotel Plat, January 14, 2008	Plat, Janu	ary 14,	
Conceptual Building Program	Density	%	Sub
Vewpark Terraces	71,984	%6	
Rossignol Corporate Teadquarters	30,984	4%	
Vewpark Flats Resort Residential	31,865	4%	35%
Collonwood Partners Corporate Office	62,091	9%8	
Newpark Hotel, Resort Residential	92,416	11%	
Vewpark Brownstones	35,856	4%	
Fapork Southside	37,435	2%	i de
Affordable Housing	20,240	2%	8 0 1
Vewpark Townhomes:	116,094	14%	
Newpark Retail, Center Dr.	131,633	16%	
Newpark Flats: Retail/Office	5,162	1%	300
ion's Bank	9,750	%L	9.77
Newpark Hotel: Retail & Commercial	33,512	4%	
Swaner Mature Preserve	9,880	%1	
SBSRD	112,000	14%	15%
Fransit	N/A	N/A	
Remaining Density	18,458	2%	2%
Totals	819,360	100%	100%

The Amended Newpark Hotel plat, recorded January 14, 2008 added 3,058 SF of retail/commercial space and subtracts 656 SF of resort residential. The revised square footages reflect design changes since the original plat recordation on January 12, 2006, such as expanding the retail space to the south to eliminate most of the covered walkway. There is a net reduction in the Remaining Density of 2,402 SF.

Less 5, 162 SF. Retail/Office converted to Rental Housing. Newpark Flats Apartments would absorb any remaining density.	21% [Le 21% 0% Ni 15% Ni 100%	1% 1% 14% 14% N/A 0%	0 9,750 33,512 9,880 112,000 N/A 0	Newpark Flats: Retail/Office Zion's Bank Newpark Hotel: Retail & Commercial Swaner Nature Preserve SBSRD Transit Remaining Density Totals
Less 415 SF to reflect final architecture Less 5,162 SF. Retail/Office converted to Rental Housing.		16%	131,218	Newpark Retail, Center Dr. Newnark Flate: Retail/Office
		14%	116,094	Newpark Townhomes. Primary/Resort Res
		2%	20,240	Affordable Housing
Less 4,409 SF. Residential converted to Rental Housing.	goe, Le	4%	33,026	Newpark Southside
Estimated. Plus 59,857 SF. Resort Residential converted to Rental Housing.	Ш	12%	95,513	Newpark Flats Apartments
		11%	92,416	Newpark Hotel Resort Residential
		8%	62,091	Cottonwood Partners Corporate Office I
Less 31,865 SF. Residential converted to Rental Housing.	32% Le	%0	0	Newpark Flats Resort Residential
		4%	30,984	Rossignol Corporate Headquarters
Increased 652 SF to reflect final architecture	<u>u</u>	%6	72,636	Newpark Terraces
Changed Areas	Sub totals	%	Density	Conceptual Building Program
Collegated Bulleting Frogram	tones),	Browns	Southside 3, 2010	Newpark Apartments (Flats, Southside, Brownstones), February 3, 2010
Density Review			#12	STEP #12







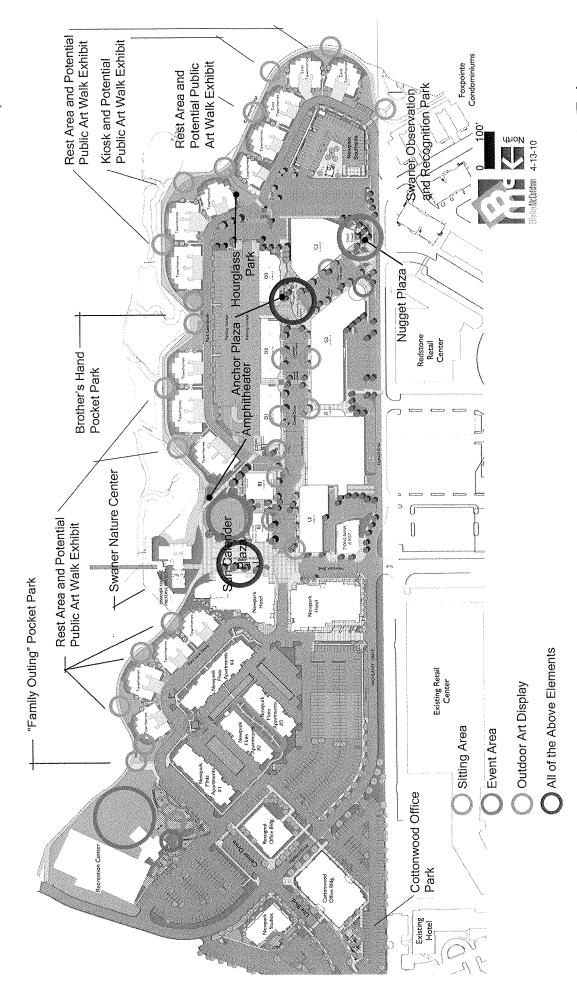


Exhibit E.1

Exhibit E.2

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6.5.4

Board of County Commission Approval of Final Subdivision Plats and Final Condominium Plats.

After receipt of the Planning Commission's recommendation, the Commission shall, after holding a public hearing noticed in accordance with the requirements of the Code, render a decision approving, denying or conditionally approving the final subdivision or condominium plat. The decision shall be based solely upon the Developer's compliance with the requirements and standards set forth in this Development Agreement and the Code. The Commission shall execute the final plat. This shall be the final decision of the County. Nothing herein shall allow the Code, or any amendment or restatements of the Code, to modify or amend the vested rights created in this Development Agreement, except as provided for in this Development Agreement.

6.6

Approval of Final Site Plans.

Approval of detailed development layout, architecture, landscaping, lighting and other development details of the Project shall occur within a reasonable period of time. To accomplish this, the Director will include RedStone Parkside on the agenda of the first meeting each month for the Planning Commission and County Commission. This process is in harmony with the schedule agreed to between the County and Developer in the "Density Transfer Agreement", dated February 21, 2001, a copy of which is attached as Exhibit G to the Book of Exhibits. The approvals will follow a three step process. First the plans shall be submitted and approved by a design review committee established in accordance with the SPA Plan Book. Second, the plans shall be submitted and approved by the Planning Commission. Third, the plans shall be submitted and approved by the Board of County Commissioners. It is acknowledged that a project of this scope and size will likely take several years to reach full completion and occupancy. Market conditions and demands for particular uses within the project may change between the time final sita approvals are rendered and the time he buildings are available for absorption into the market. Consequently, changes to any prior approved site layouts, architecture, landscaping, etc. are allowed. Any such changes will be submitted to the Design Review Committee, Planning Commission and County Commission following the process set forth for obtaining the initial approval. Site plan review shall include: 1) final site layo7ut for conformance with the intent of the preliminary site plans approved in this Development Agreement; 2) all architectural design details; 3) landscape; 4) exterior and site lighting; and 5) specific programs for amenities, trails, parks, public art, and other related improvements and facilities as required in this Development Agreement. In the event of a procedural conflict between the Code and this Development Agreement, the provisions of this Development Agreement shall govern. The decision of the Commission shall be the final decision of the County. The decision of the Commission shall be based upon the Developer's compliance with the requirements and standards set forth in this Development Agreement and the criteria required under Chapter 4 of the Code. Any appeal shall follow the provisions of Section 6.5.6 of this Development Agreement.

Exhibit G.1

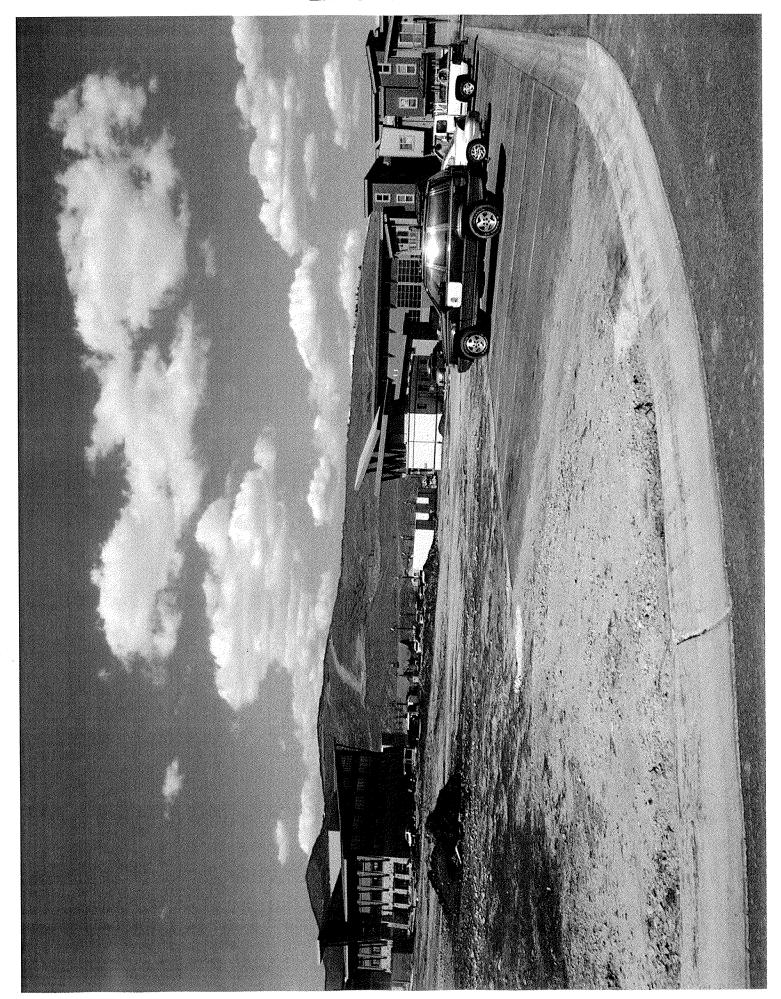


Exhibit G.2

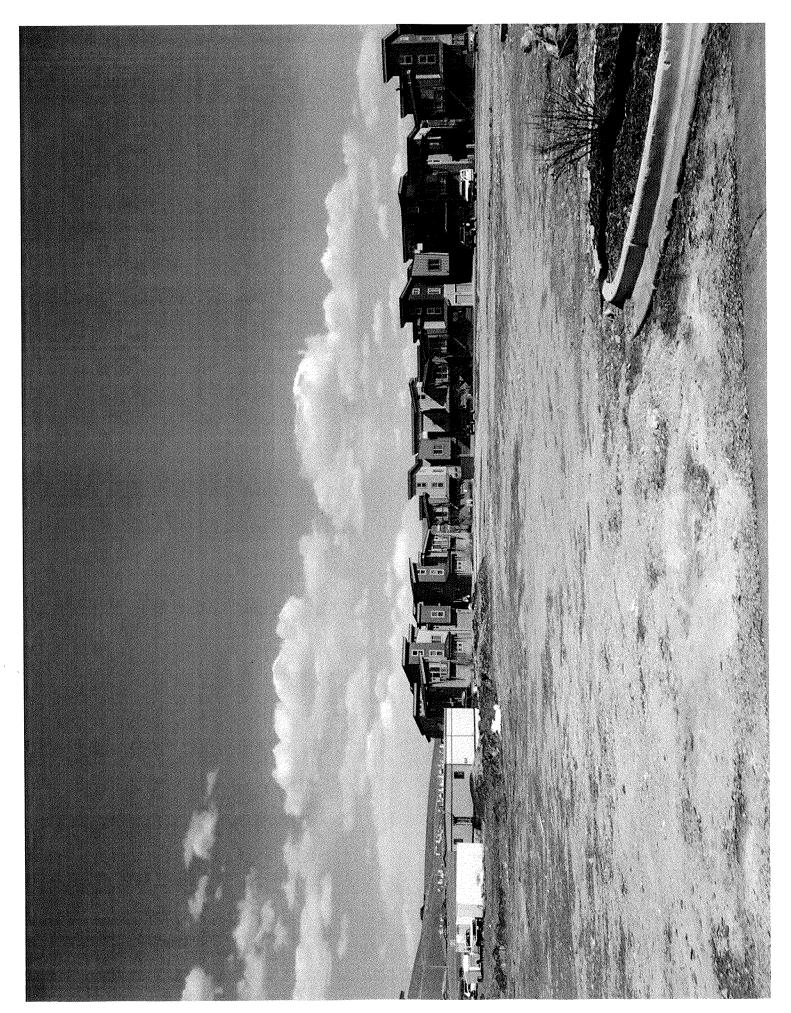


Exhibit E.1

WORK SESSION NOTES

SNYDERVILLE BASIN PLANNING COMMISSION

TUESDAY, APRIL 27, 2010

SHELDON RICHINS BUILDING

6505 N. LANDMARK DRIVE, PARK CITY, UTAH

PRESENT: Kathy Kinsman—Chair, Julie Hooker—Vice Chair, Sibyl Bogardus, Mike Washington

STAFF: Adryan Slaght—Senior Planner, Kimber Gabryszak—County Planner, Jami Brackin—Deputy County Attorney, Karen McLaws—Secretary

WORK SESSION

1. <u>Appointment of Planning Commission representative to the Summit Research Park</u> <u>Design Review Committee</u> – *Kimber Gabryszak, County Planner*

County Planner Kimber Gabryszak recalled that this design review committee has not yet been formed, and there is currently a pending application for the affordable housing component of the project. That application must receive approval of the design review committee, so it will be necessary to appoint the committee.

Commissioner Bogardus agreed to serve on the design review committee.

2. <u>Discussion on proposed final site plan for the 100-unit Newpark Multi-Family Rental Project on the site of the previously approved Brownstones/Cottonwood III Office Building projects located at 1389 Center Drive, Newpark – South of the Basin Recreation District Fieldhouse, north of the Newpark Hotel – Adryan Slaght, Senior Planner</u>

Senior Planner Adryan Slaght presented the staff report and provided an overview of the history and amendments to the Newpark development agreement. He explained that the applicants are now proposing a 100-unit multi-family housing development on the site where the Newpark Flats and Cottonwood III office building were previously proposed. It is intended that rents on the units would be targeted toward affordable housing, at approximately 65% of Area Median Income (AMI). The development would include a rental office, fitness center, tot lot, hot tub, and connections to the trail system along the Swaner Nature Preserve. The County Engineer has asked for a traffic/parking study, and the Park City Fire District has asked to review access, especially on the west side of the project, and the hydrant locations. The Snyderville Basin Wastewater Reclamation District would also like to verify that there is sufficient capacity.

Commissioner Washington asked about the purpose of a traffic study. Marc Wangsgard, the

Snyderville Basin Planning Commission Work Session Notes April 27, 2010 Page 2 of 4

Exhibit E.2

applicant, explained that in the past they have been asked to conduct a traffic study to be sure the internal roads are designed to handle the traffic flow of the project. Traffic impacts outside the project were addressed at the time of the SPA approval.

Planner Slaght reported that the Design Review Committee (DRC) has met several times and approved the maximum height for Building 1 at 48 feet. They do not have any concerns about the proposed massing or architecture. Parking would include 223 stalls, including adjacent cross parking. The previous approval provided for 141 stalls on the site and 41 on an adjacent site. The DRC believes this proposal fits within the proposed ratios when the development agreement was initially approved. The applicant has provided a pedestrian circulation plan and community benefits as shown in the staff report. Planner Slaght provided an aerial view of the site and the proposed site plan. Planner Slaght stated that the applicant is seeking feedback on the proposal, which will require public hearings in the future.

Mr. Wangsgard noted that statements in the development agreement allow flexibility to change the uses from office to residential, retail to residential, etc. There are limits to that to prevent making changes that are so significant that they would upset the nature of a town center. Each time they have brought a project for approval, they have met with the DRC to verify that they are in compliance with the uses in the SPA. The DRC has also made certain that the design of the project fits within the Town Center and County standards. He explained that they started this project with a market study, which showed that there was an insufficient supply of rental units in the 60%-70% of AMI range, and designed around the needs shown by the study. He clarified that this is not a true affordable housing product, as it will not have the deed restriction requirements of an affordable housing project. This project will replace two prior approved projects, and if approved, they will be close to wrapping up the entire SPA. From a traffic standpoint, the applicant believes this is a good place for this type of project due to the proximity to mass transit. Mr. Wangsgard commented that the parking demand has been less than the developer anticipated, which he believed was attributable to the good job the County has done with the transit system.

Chris Retzer, the co-applicant, reported that they met with the DRC three times, and the main achievement was an agreement on the height of the four-story building. He stated that, if this area were left to be developed as the Flats and Brownstones, it would be several years before the area would be built and absorbed in the market. Currently, there is a big shortage of rental housing in the market and aggressive financing through HUD and the federal government to facilitate this kind of housing. Mr. Retzer reviewed a list of the benefits of multi-family housing to the community and to the town center. He compared the features of the Flats and the Brownstones with the current proposal and noted that heights of the neighboring buildings range from 33 to 66 feet. He discussed what had been done to create pedestrian connectivity and public spaces and plazas. He reviewed the architecture and materials and compared them with the existing buildings.

Commissioner Washington expressed concern about traffic connectivity from the Basin Recreation District building to Main Street. He questioned whether the street in front of the

Snyderville Basin Planning Commission
Work Session Notes
April 27, 2010
Page 3 of 4

Exhibit E.3

townhomes would be adequate to carry traffic to Main Street. Mr. Retzer explained that they will improve a sidewalk to provide connectivity from the street to the Basin Recreation building. He explained that they were motivated to get rid of the street because they could not get sufficient parking for the project with the street shown in the previous plan and because they have not seen much pedestrian or vehicle connectivity coming from Basin Recreation into the retail center. Mr. Wangsgard offered to ask about that specifically when they do the traffic study.

Commissioner Bogardus stated that she would prefer that the automobile traffic be directed farther away from the residential units for purposes of safety and children. She believed it would make the project more user friendly for families.

Chair Kinsman asked about lease terms for the units. Mr. Retzer replied that they will be longterm rentals. They anticipate financing the units through HUD, and HUD will not allow any kind of nightly rental. He believed they might go so far as having the property restricted from nightly rentals. The preference would be a 12-month lease, but they might have 6-month leases. Chair Kinsman asked if the applicant would be willing to restrict a certain number of units, because the public is likely to argue that this applicant is putting in 100 units of affordable housing, which will address the County's need for affordable housing, and therefore it won't be necessary for the County approve other true affordable housing in the Snyderville Basin. If the County does not have a commitment that the housing will stay affordable, it puts them in a difficult position in relation to other projects. She believed HUD requires that the units be restricted to affordable housing for a minimum length of time, and she did not believe they would allow 6-month leases. Mr. Retzer replied that HUD has a variety of loans, and the ones they are seeking do not require rent restriction. He explained that the applicant has not discussed whether to deed restrict any of the units. Mr. Wangsgard stated that they are not prepared to commit to an affordable housing requirement. They actually wanted to, but there is debt on the land, and when they build, they have to pay down the debt, and the amount they have to pay is based on the number of density units. That issue became complicated for the County and for the lending group, so they backed away from it, and it does not look like they will be able to restrict any units. However, he offered to continue to talk to the County and their lenders. He clarified that they are working with a private lending group, and HUD will underwrite the financing. The lenders want the project to be as financially healthy as possible rather than looking at an affordable housing project, because they want to be sure the loan is paid off.

Chair Kinsman asked if a transit center is proposed as part of this project. Mr. Wangsgard explained that they have advocated creating a public transit hub in the project, but now they are running out of space. Recently, with the change in County government and the County Manager, those discussions have resumed. He explained that Newpark has offered a portion of the Newpark Hotel building as a transit center. The County is currently focusing on the former PRI property across the highway for a major transit hub, and Mr. Callahan believes setting up a small hub in Newpark would provide a valuable learning experience before launching a big hub.

Chair Kinsman noted that, although she understands that CORE requirements do not apply,

Snyderville Basin Planning Commission Work Session Notes April 27, 2010 Page 4 of 4

Exhibit E.4

because this is a SPA, the Commission made a conscious decision under the CORE that they would not cluster affordable housing in large quantities. She felt that they need a clear understanding of what is proposed for affordable housing, how it will fit with the needs assessment, and how it can be guaranteed that it will meet the basic needs in the future. She requested that the applicant research and provide answers to those issues. She stated that she would be more supportive of the project if they could keep it affordable for the long term.